



- I. **Call to Order:** The RDA Board of Director’s meeting was called to order at 10:00 a.m. CST on Thursday, December 10, 2020, via Zoom with Chairman Donald P. Fesko presiding.
- II. **Roll Call:** Present: Chairman Donald P. Fesko, Randy Palmateer, Christopher Campbell, Milton Reed, Africa Tarver, Patrick Lyp and Tony Walker. Seven members were present constituting a quorum.
- III. **General Public Comment:** *None*
- IV. **Consent Agenda:** T. Walker requested to remove item 2 [MWBE Quarterly Expenditure Compliance] from the consent agenda for purposes of discussion.

- 1. **Minutes:** Board Meeting of September 10, 2020 *Approved*
- 2. **Reports:** ~~MWBE Quarterly Expenditure Compliance (3rd QRT 2020)~~ *Removed*
- 3. **Reports:** Buy Indiana Quarterly Report (3rd QRT 2020) *Approved*
- 4. **Reports:** Zip Code Quarterly Report (3rd QRT 2020) *Approved*
- 5. **Reports:** Contractor Utilization Report (3rd QRT 2020) *Approved*

P. Lyp motioned to approve items 1, 3, 4, and 5 of the consent agenda with a second by R. Palmateer. The motion carried on a roll call vote with seven members in favor and none opposed.

	YES	NO
Donald P. Fesko	X	
Christopher Campbell	X	
Randy Palmateer	X	
Milton Reed	X	
Patrick Lyp	X	
Africa Tarver	X	
Tony Walker	X	

- V. **Actions on Recommendations from Fiscal Task Force**
 - i. **Budget: Proposed 2021 Administrative Budget:** B. Shel Drake [PALLC] reported to the Board that the RDA came in 6% below what was budgeted for CY 2020. For CY 2021, the RDA budgeted Personnel down to 2.1% overall from what was budgeted a year ago and leaves room in the budget for appropriate increases, should the State of Indiana allow and approve. In terms of the Administrative categories, there were no large changes and the RDA is spending less and the total year over year budgeted change for the Personnel and Administrative Budget groupings is a 3.58% decrease from 2020. B. Shel Drake added that this is remarkable for an agency that is experiencing a substantial increase in the demands of its mission.

C. Campbell motioned to approve the 2021 Administrative Budget, as presented, with a second by A. Tarver. The motion carried on roll call vote with seven members in favor and none opposed.



	YES	NO
Donald P. Fesko	X	
Christopher Campbell	X	
Randy Palmateer	X	
Milton Reed	X	
Patrick Lyp	X	
Africa Tarver	X	
Tony Walker	X	

- ii. **Budget:** Proposed 2021 Project Planning and Due Diligence Budget: B. Sheldrake reported to the Board that the Project Planning and Due Diligence budget for CY 2021 primarily relates to the transit development work and the rail projects and that there is a significant responsibility in completing the financing of these projects. KPMG came in below what was expected and budgeted in CY 2020 and the RDA is budgeting slightly below in 2021. In addition, legal representation [Ice Miller] came in significantly under budget in 2020 by about 30%. Lastly, the TDD Planning Consultant/Engineer [MKS], was under budgeted in CY 2020 and the overall budget for CY 2021 has increased, as a result.

T. Walker motioned to approve the 2021 Project Planning and Due Diligence Budget, as presented, with a second by C. Campbell. The motion carried on roll call vote with seven members in favor and none opposed.

	YES	NO
Donald P. Fesko	X	
Christopher Campbell	X	
Randy Palmateer	X	
Milton Reed	X	
Patrick Lyp	X	
Africa Tarver	X	
Tony Walker	X	

VI. Project Status Review

- a. **Reports:** MWBE Quarterly Expenditure Compliance (3rd QRT 2020): T. Walker inquired general questions the asked for representation from Organizational Development Solutions [ODS].

Desila Rosetti and Barbara Black were both present and representing ODS.

T. Walker inquired about the budgetary aspects of their contract and asked about the overall scope of work ODS does for the RDA.

D. Rosetti responded and stated that as new grantees are approved by the RDA, the RDA Grants Manager [Jillian Huber] sends ODS the date the grant agreement was approved and



then ODS is responsible for reaching out to the grantees to make them aware of what the statute requires and what the Board policy requires and referenced the RDA website, in which those are located. From there, ODS takes the grantee amount and figures out the minority and the women owned businesses piece so ODS can understand and figure out how close they are to their goal each quarter as they report. Once that information is established, ODS then works with individual grantees to help troubleshoot that process and make them aware of what their responsibilities are for reporting on a quarterly basis, which include the minority and women owned business report and the Buy Indiana business report, in addition to the zip codes of all those working on the projects and then compare them quarter-to-quarter. Lastly, ODS asks the grantees to report the companies that are union. D. Rosetti also added that any type of exemption that a company or grantee might be requesting, ODS is responsible for getting those submitted.

T. Walker inquired if ODS has a report that reports data for MBE/WBE's.

D. Rosetti responded no and that the Buy Indiana data report reports what county and State the business is located in but not necessarily MBE/WBE.

T. Walker questioned the far right column of the report [*referencing attachment B*], and asked if ODS is having one-on-one interactions with the grantee or with the contractors.

D. Rosetti answered that they usually have one key contact person because the reporting for this is rigorous and trying to get the zip code project together and the zip code for every employee who is working on each job is confidential information that includes payroll information and ODS needs to make sure that those reports get scrubbed before they get to ODS.

T. Walker asked, as it relates to MBE/WBE monitoring, is ODS primarily dealing with City officials or contractors.

D. Rosetti responded that usually the grantee will help identify who the key contact person should be.

T. Walker followed up by stating that the RDA website states that within 30 days of the funding agreement, the grantee is supposed to send RDA and ODS a copy of the minority compliance plan and asked if that is the first engagement with the grantees or has ODS already connected with them regarding their application.

D. Rosetti answered that ODS waits for the RDA's Grants Manager [Jillian Huber] to send the fully executed and signed grant agreement and sometimes that takes a while.

T. Walker then referenced the report from the September 10 Board meeting and noted, in regard to the meeting with Hobart on the 69th Ave. project in QTR 1 of 2019, ODS stated that they met with the grantee and T. Walker asked if that was a meeting to discuss the minority compliance plan.



D. Rosetti answered yes.

T. Walker followed up and asked that after a grantee provides their minority compliance plan, does ODS keep those copies or do they provide RDA with those copies.

D. Rosetti responded that a lot of times the grantee provides those copies to both the RDA and ODS.

J. Huber further added that most of the time the RDA does in fact receive a copy of the plan and also stated that the minority compliance plan for the City of Hobart, although the grant was approved in 2019, communications certainly occurred at that time to go over the compliance plans and because they are so detailed they sometimes require a team of professionals. Adding that when the grant was approved for Hobart, it was not yet bid so the bid process happened after the fact due to a match requirement that they were working on and once they secured that match they were able to bid out and received bids back and then they went through the agreement process and that's when the RDA received pages 2 and 3 with the Hawk Enterprises information that referenced their contractor and sub-contractor plan to meet that requirement.

T. Walker asked that when the Hobart minority compliance plan was received, did ODS follow up and review the plan or did it get passed onto RDA.

D. Rosetti responded that ODS does look at the plan but until they start reporting data, it's difficult to determine whether or not they will be in compliance with a plan.

T. Walker reference that on the RDA's website, there's a self-certification form and thinks that the first steps would be that there would be some sort of certification that the companies that were listed, or the document that was provided, were actually MBE's and WBE's.

D. Rosetti referenced the self-certification form stating that it is a self-certification and that it doesn't require them to be certified by the State. However, some of the contractors who have been around for a long period of time, ODS does not re-ask them to do self-certifications.

T. Walker asked if ODS has a self-certification for Hawk Enterprises.

D. Rosetti responded that she would have to go back and look.

T. Walker stated that as it relates to Hobart and the documents that ODS might have not have required a self-certification form for Hawk Enterprises.

D. Rosetti responded that Hawk Enterprises is a sub-contractor to G.E. Marshall so since they are a sub-contractor, ODS looks at G.E. Marshall and G.E. Marshall then looks at their sub-contractors and added that she will look back and see if Hawk Enterprises has been self-certified as a primary contractor.



M. Reed asked for clarification on the matter and asked that if a sub-contractor is claiming a MBE/WBE status that ODS does not have the ability to verify if they are in fact MBE/WBE based on the fact that they are a sub-contractor.

D. Rosetti responded that if they have been listed, ODS has the ability to verify anybody and can send them the self-certification and they can send it back.

T. Walker asked if ODS was aware that the City of Hobart, and their plan, was to pin their MBE spent to their Hawk Enterprises contract.

J. Huber respectfully interjected and stated that Hawk Enterprises is listed on the INDOT database of M/WBE contractors and their accreditation expires 7/24/2022.

T. Walker acknowledged that he is aware they are a certified WBE and what they are not is a MBE and stated that he received a letter from Mayor Snedecor that explains to the RDA that their MBE spend on the Hobart project is 100% related to Hawk Enterprises. T. Walker also stated that as part of the monitoring and compliance part of what RDA and their responsibility is regarding these funds, the first thing that needs to be done is assure that the integrity of the designation and added that there are state statues against this that automatically state that if a company misrepresents this information that the contract is in breach.

T. Walker asked if anyone from ODS or RDA staff certified to their own assurance that Hawk Enterprises is a MBE.

D. Rosetti responded that she is happy to follow up on that and added that they are a WBE.

T. Walker added that there is a deficit in the monitoring and asked that ODS go back and look and find some documentation proving that Hawk Enterprises is in fact a MBE to actually account for what Mayor Snedecor believes is a MBE spend.

D. Rosetti acknowledged Mr. Walker's request.

T. Walker motioned to approve the MWBE Quarterly Expenditure Compliance (3rd QRT 2020) with a second by C. Campbell. The motion carried on roll call vote with seven members in favor and none opposed.

	YES	NO
Donald P. Fesko	X	
Christopher Campbell	X	
Randy Palmateer	X	
Milton Reed	X	
Patrick Lyp	X	
Africa Tarver	X	
Tony Walker	X	



b. Surface Transportation and Development:

- i. **Update:** B. Hanna reported that Double Track is eminent at this point and we will be wrapping up with the FTA in early Q1 and that he is confident to report that the project is moving forward.

c. Transit Development Districts:

- i. **Update:** S. Ziller reported over the past five weeks, the Transit Development District team has held the first of three public engagement sessions to present the draft TDD boundaries for the Munster Ridge Road and Munster Dyer Main Street stations, as well as for the Ogden Dunes portion of the Portage Ogden Dunes station. Due to the pandemic, these meetings were held virtually via Zoom. Also, in all three communities there were physical displays and information about the TDDs which could be viewed by the public prior to the meetings. The RDA also launched a new web site, nwtidd.com, which posted the same materials. People viewing either the physical materials or the web site were invited to comment and participate in an online survey, and all the comments and results will be included when we submit the final TDD boundaries for the Board's consideration and that each Zoom meeting has drawn about 20 to 40 audience members on Zoom during the live broadcast. Additionally, beginning with the Munster Dyer meeting, the RDA is simulcasting the meetings on Facebook Live, where we have received a handful more viewers during the broadcast. Videos of the meetings are also posted to Facebook as well as the RDA's YouTube page and added that as of Monday of this week, videos of all three meetings on Facebook and YouTube had more than 400 combined views.

S. Ziller reported that the RDA will continue to work with the remaining communities to finalize their draft TDD boundaries so that we can schedule their public engagement sessions and the RDA anticipates that we will hold the bulk of these sessions over the course of the first quarter of 2021. We are also circling back with communities that have had the sessions in order to incorporate public feedback and finalize the boundaries for presentation to the state budget committee and the RDA Board of Director's.

d. RDA Operations:

- i. **Update:** S. Ziller reported that staff is currently working on finishing the 2020 annual report and should have an update in the first quarter of 2021.

VII. Unfinished Business:

- i. **Update:** *None*

VIII. New Business:



i. **Update:** *None*

IX. **2020/2021 Board Planning Calendar:** The quarterly Board meeting structure is reflected in the planning calendar.

X. **General Public Comment:** *None*

XI. **Adjournment:** Without further business the meeting was adjourned.

Respectfully submitted by Amy L. Jakubin